Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of	)
	)
Review of Part 15 and other Parts	) ET Docket No. 01-278
of the Commission's Rules	) RM-9375
	) RM-10051

To: The Commission

COMMENTS OF DAVID A. MERRIWEATHER

IN RESPONSE TO NOTICE OF PROPOSED RULE MAKING

I am a General Class Licensed Radio Amateur and am writing to support the position of the American Radio Relay League (ARRL) in this matter.

I am aware of the concept of public goods and I believe radio frequencies belong in the public domain. I am also aware of the fact that it makes sense to allocate much of the radio spectrum to commercial applications and interests that benefit the public.

In this case, it appears that the radio amateur community, through the ARRL, has raised serious and legitimate questions about this NPRM that have not been addressed. Not only would this allocation of public spectrum likely cause harm to existing users and existing radio systems, those users and systems that would be harmed are the same that provide immeasurable service to the public while receiving no public funds. It is a fundamental principle of amateur radio that it exists for the public benefit, and evidence of that benefit can be found in many places, not least of which are in helping in disaster situations. As I write there are still amateur radio volunteers working with the American Red Cross at the World Trade Center disaster. While that is the most dramatic example of disaster assistance and working for the public good, we can be certain that there are thousands of other examples every year.

Some Technical Arguments to Consider

The NPRM is a proceeding that is broader than just the SAVI issue. The purpose of the docket proceeding is to review and update certain rules governing unlicensed RF emitting devices. The remainder of the issues in the NPRM are not generally a concern to Amateur Radio. The NPRM did not address any of the concerns in the ARRL comments on the SAVI Petition, and those can be restated. The most important argument, however, is that interference will inevitably result to Amateur stations from these mobile devices at unpredictable

locations, transmitting at 110,000 uV/m immediately adjacent to the 432 MHz weak-signal band, in a band used extensively by Amateurs for control links for repeaters and other functions.

The other main point is that even if this high-power system is to be allowed to operate with high duty cycles (completely contrary to the basic reason for allowing such high power for periodic radiator devices in the first place) there is no reason whatsoever why 433 MHz should have been chosen for this application, and it should not be allowed between 420 and 450 MHz.

Approving this allocation of radio spectrum would damage the amateur service and is, I believe, an inappropriate use of a public good.

Sincerely,

David A. Merriweather

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